

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 2 is requested to be cancelled.

Claims 1, 12, 17, and 18 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1 and 3-20 are now pending in this application.

In the outstanding Office Action of November 19, 2007, the Examiner objected to the specification because minor grammatical errors were noted in the title of the Abstract. In response to this objection, Applicant has corrected the minor grammatical errors in the title of the Abstract. Accordingly, Applicant respectfully requests that the objection be withdrawn.

In addition, the Examiner rejected claims 1-20 under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent No. 6,381,418, Spurr et al. ("Spurr") in view of U.S. Patent No. 5,845,160, Patton ("Patton"). As is discussed in more detail below, Applicant takes issue with the Examiner's rejection of independent claims 1, 12, 17, and 18. However, in the interest of compact prosecution, Applicant has amended claim 1 to include features previously presented in claim 2. Specifically, claim 1 now recites that the image is printed with low resolution. In addition, independent claims 12, 17, and 18 have also been amended to further clarify that the image is printed in low resolution. Applicant respectfully submits that these claims, as amended, are patentable for at least the reasons set forth below.

First, Applicant disagrees with the Examiner's interpretation of "high resolution," as recited in claims 1, 12, 17, and 18. In particular, claim 1 recites that the "data relating to the

image includes the image in high resolution.” Claim 12 recites a “passive electronic memory adapted to store an image in high resolution.” Claims 17 and 18 recite “said data including the respective image at high resolution.” On page 8 and 9 of the Office Action, the Examiner asserted Patton teaches common images with “varying information density.” The Examiner asserted that “varying information density” reads on the claims high resolution. Applicant respectfully disagrees. Patton relates to a method and apparatus “for transferring recordings from a sound index print to a digital memory store having corresponding digital image files.” (Column 2 lines 5-7). In relation to the digital image files, Patton teaches that there may be common files in the digital memory store. In particular, Patton states “[c]ommon “images” have the same subject matter, but may vary in information density, i.e., detail, and may be subject to a variety of standard modifications.” (Column 2 lines 63-65). Thus, Patton merely states that there can be duplicate pictures in the digital memory store that have varying information density. However, Patton fails to teach or even suggest that any of the duplicate pictures with different densities are high resolution, as recited in claims 1, 12, 17, and 18. The mere fact that an image’s information density varies does not mean the image is in high resolution. High resolution relates to a higher quality image that generally has a higher number of dots, pixels, or detail than an ordinary image. Patton simply does not teach or suggest such features.

As recognized by the Examiner, Spurr fails to cure this deficiency. Spurr teaches an “attached memory for storing detailed information about the print and allowing contactless access using an electromagnetic frequency signal.” (Abstract). Spurr fails to teach or even suggest different resolution levels. While applicant submits that claims 1, 12, 17, and 18 are patentable for at least the above discussed reasons, in the interest of advancing prosecution, Applicant has amended claims 1, 12, 17, and 18 to include the features previously presented in claim 2.

With regard to previously presented claim 2, whose features can now be found in independent claims 1, 12, 17, and 18, the Examiner asserted on page 7 of the Office Action that “Patton teaches ... wherein for each for each image in respect of which data is stored on an associated memory tag, the image is printed with low resolution (Col. 3, lines 4-16)” Column 3, lines 4-16 state:

The imagettes 18 present miniature, human-viewable representations of images. In film processing, index prints 14 are commonly provided along with the same images in another form, for example, photographic prints bearing larger versions of the same images. The imagettes are commonly subject to a standardized modification for ease of viewing. For example, film negatives are commonly represented in index prints by positive images on photographic paper.

The invention is directed to use with an associated set 16 of digital image files 16a and index print 14; that is, an index print-image files assemblage in which the index print or prints 14 have imagettes 18 corresponding to respective image files 16a of the set 16 in the digital memory store 12. (Emphasis added).

Thus, with regard to index prints, Patton merely states that the index prints are “miniature” versions of the same larger versions. Patton does not teach or even suggest that the miniature prints are low resolution, as recited in claims 1, 12, 17, and 18. Patton merely teaches the size of the pictures is changed, as opposed to the resolution. Furthermore, the only teaching in Patton related to changing the index pictures involves changing the viewpoint. In particular, Patton teaches that the index pictures can be positive or negative representations of the larger versions of the same images. Applicant submits that altering the positive and negative viewpoint of the index picture is not the same as printing the index images in low resolution. As such, Patton fails to teach that the index pictures are printed in “low resolution,” as recited in amended claims 1, 12, 17, and 18.

As recognized by the Examiner, Spurr fails to cure this deficiency because Spurr does not teach or even suggest an index print including a plurality of images. Since Spurr does not teach or even suggest the plurality of images, Spurr cannot teach that the plurality of images are printed with low resolution.

If the Examiner wishes to maintain the above discussed rejections, Applicant requests the Examiner to point out with particularity where “low resolution” images are taught in Patton or Spurr. Similarly, Applicant respectfully requests the Examiner to point out with particularity where Patton or Spurr teach that “high resolution” data is stored.

Because none of the references cited by the Examiner, either separately or in combination with each other, teach all of the limitations of independent claims 1, 12, 17, and 18, as amended, Applicant submits that each of these independent claims are patentable over the prior art. Furthermore, because 3-11, 13-16, 19, and 20 are each directly or indirectly dependent upon independent claims 1, 12, 17, and 18, Applicant submits that these claims are patentable over the prior art.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

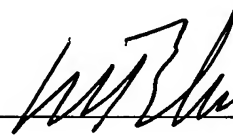
Respectfully submitted,

Date

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